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PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

**GOVERNMENT OF TRIPURA
FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT**

NO.F.10-5(34)-CA/DF/2020/5125

Dated, Agartala, the 26th April, 2021.

NOTIFICATION

WHEREAS, the Consumer Protection Act, 1986 has been repealed and replaced by the Consumer Protection Act, 2019 ;

AND WHEREAS, Section 102(1) of the Consumer Protection Act, 2019 empowers the State Government to make rules for carrying out the purposes of the Act, subject to the condition that, while making such rules, so far practicable, the model rules made by the Central Government shall be conformed;

AND WHEREAS, the Central Government has made such model rules, which was published in Gazette of India, vide G.S.R 451(E) dated 15th July,2020;

NOW THEREFORE, in exercise of the powers conferred by Section 102 read with Section 30 and 44 of the Consumer Protection Act, 2019 (Central Act No.35 of 2019), the Government of Tripura hereby makes the following rules to provide for the salaries, allowances and other terms and conditions of service of the President and Members of the State Commission and District Commission, namely:-

1. Short title, extent and commencement. –

- (1) These may be called the ‘Tripura Consumer Protection (Salary, allowances and conditions of services of President and Members of the State Commission and District Commission) Rules, 2021’;
- (2) They shall come into force on the date of their publication in the Tripura Gazette.

2. Definitions. – (1) In these rules, unless the context otherwise requires, --

- (a) ‘Act’ means the Consumer Protection Act, 2019 (Central Act No.35 of 2019) ;
 - (b) ‘Government’ or ‘State Government’ means the Government of Tripura ;
 - (c) ‘Member’ means a Member of the District Commission or the State Commission, as the case may be ;
 - (d) ‘President’ means the President of the District Commission or the State Commission, as the case may be;
 - (2) The words and expressions used herein and not defined in the Act shall have the same meaning respectively assigned to them in the Act.
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3. Salaries and allowances payable to whole-time President and Members of District Commission

- (1) The President shall be entitled to the salary and allowances as are admissible to a District Judge in the super time scale of pay;
- (2) A Member shall receive a pay equal to the pay at the minimum of the scale of pay of a Deputy Secretary of the State Government and other allowances as admissible to such officer;
- (3) The remuneration of a person appointed as President or Member, who is in receipt of any pension, shall be reduced by the gross amount of pension drawn by him;
- (4) There shall be an annual upward revision of pay of whole time appointees other than a pensioner at the rate of 3%.

4. Salaries, remunerations payable to the part-time President and Members of District Commission:-

- (1) A part time President shall be paid a consolidated remuneration of rupees three thousand per day of sitting;
- (2) A part time Member shall be paid a consolidated remuneration of rupees two thousand and five hundred per day of sitting;
- (3) Remuneration of the part-time appointees shall be reviewed from time to time as may be decided by the State Government

5. Salaries and allowances payable to whole-time President and Members of the State Commission:-

- (1) President of the State Commission shall receive the salary and other allowances as are admissible to a sitting judge of the High Court of Tripura;
- (2) A member of the State Commission shall receive a pay equivalent to the pay at minimum of the scale of pay of an Additional Secretary of the State Government and other allowances as are admissible to such officer.
- (3) The remuneration of a person appointed as President or Member, who is in receipt of any pension, shall be reduced by the gross amount of pension drawn by him.
- (4) There shall be an annual upward revision of the pay of a whole time member other than a pensioner at the rate of 3%.

6. Salaries, remunerations of the part-time Members of the State Commission:--

- (1) A part-time Member of the State Commission shall be paid a consolidated remuneration of rupees three thousand per day of sitting;
- (2) Remuneration of the part-time appointees shall be reviewed from time to time as may be decided by the State Government.

7. Remuneration in case of appointment on additional charge basis: Any appointment to the posts of President and Members in the District Commission as well as in the State Commission made on additional charge basis, shall be governed by the relevant Financial Rules or as fixed by the State Government from time to time.

8. **Medical fitness:** No person shall be appointed as President or Member unless he is declared medically fit by a Registered Medical Officer of Tripura Health Services;
9. **Casual vacancy:** In case of a casual vacancy in the office of President in the State Commission or District Commission, as the case may be, the State Government shall have the power to appoint the senior most Member to officiate as President.
10. **Leave, medical treatment, hospital facilities and traveling allowances:** The whole time President and Members of the District Commission and the State Commission shall be entitled to leave, Leave Travel Concession, medical treatment, hospital facilities and such travelling allowance & daily allowance on official tour as per the provisions applicable to Group A Government servants in the State Government.
11. **Declaration of Financial and other Interests:** The President or member shall, before entering upon his office, declare his assets, and his liabilities and financial and other interests.
12. **Other conditions of service:** (1) The terms and conditions of service of the President or member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group 'A' Officer of the State Government of a corresponding status.
(2) The President or member shall not practice before the National Commission, the State Commission or the District Commission after retirement from the service of the State Commission or the District Commission, as the case may be;
(3) The President or member shall not undertake any arbitration work while functioning in these capacities in the State Commission or the District Commission, as the case may be;
(4) The President or member of the State Commission or the District Commission, as the case may be, shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the State Commission or the District Commission:
Provided that nothing contained in this rule shall apply to any employment under the Central Government or a State Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).
13. **Oaths of office and secrecy:** Every person appointed to be the President or member shall, before entering upon his office, make and subscribe an oath of office in Form I and oath of secrecy in Form II annexed to these rules.
14. The salary, remuneration and other allowances shall be defrayed out of the Consolidated Fund of the State Government.
15. The terms and conditions of the service of the President and the members of the District Commission and the State Commission shall not be varied to their disadvantage during their tenure of office.

16. Repeal and Savings: (1) The Tripura Consumer Protection (Appointment, Salary, Allowances and Conditions of Services of President and Members of the State Commission and District Forum) Rules,2018 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under the rules hereby repealed shall, be deemed to have been done or taken or purported to have been done or taken under the corresponding provisions of these Rules.

By Order of the Governor,



EW
26/4/21
(T.K.Das)

Additional Secretary to the
Government of Tripura.

Annexure

[See Rule 12]

FORM I

Form of oath of Office for the President and Member of the State Commission and District Commission.

I , having been appointed as the President/Member in the State Consumer Disputes Redressal Commission,...../ District Consumer Disputed Redressal Commission, do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the President/Member of the State Commission/District Commission to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of land.

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FORM II

Form of oath of Secrecy for the President and Member of the State Commission and District Commission.

I , having been appointed as the President/Member in the State Consumer Disputes Redressal Commission,...../ District Consumer Disputed Redressal Commission,.... do solemnly affirm / do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as President/Member of the State Commission/District Commission except as may be required for the due discharge of my duties as the President/Member

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